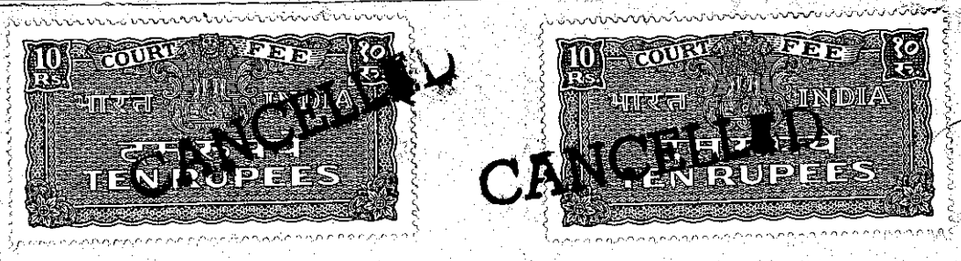

(1)

(13)

IN THE HIGH COURT OF JUDICATURE CHHATTISGARH AT BILASPUR

Writ petition no. 2399 of 2003

Petitioner :

Ganga bai Rathore
W/o Battu lal Rathore
Aged about 58 years, resident of
Pali tahsil katghora
District korba

P. R. No. 10467/03
Presented by Shri Rajeev Bhatia
dated 21/07/03

Versus

Respondents :

1) State of Chhattisgarh
Through Collector Bilaspur
2) Mantora bai
W/o shivnanadan Rathore
Aged about 56 years, resident of
khokhra tahsil janjgir
District janjgir champa
3) Jamuna bai
widow of late Nirbhay Ram
Aged about 54 years, resident of
talwapara janjgir
District janjgir champa

RECEIVED COPY
21/7/03
for A.G. BILASPUR

PETITION UNDER ARTICLE 226 AND 227 OF THE CONSTITUTION OF INDIA

XI-HC-22

(22)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.No.2399/2003 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

29/08/2003: -

Heard Shri Rajeev Bharat counsel for the petitioner and Shri Ranbir Singh, Govt. Advocate, for the State/respondent, on advance copy.

By this petition under Articles 226/227 of the Constitution of India the petitioner has challenged the order dated 23/04/2003 (Annexure-P/1) passed by the Revenue Board, Chhattisgarh by which the Board has dismissed the appeal filed by the petitioner against the order dated 04/03/2003 (Annexure-P/2) passed by the SDO, Janjgir setting aside the mutation which was entered in favour of the petitioner without following the procedure as envisaged in Sections 109 and 110 of the Land Revenue Code. It has been further observed that the land cannot be transferred without the registered document. Therefore, the learned SDO set aside the mutation which was done by the Halka Patwari in favour of the petitioner.

Learned counsel appearing for the petitioner submits that the SDO without any valid reason entertain the appeal even the same was barred by nine years. The point of limitation was raised before the SDO and the SDO allowed the application filed under Section 5 of the Limitation Act as the mutation was done without giving notice to the interested parties.

के देखिये

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

23

-2-

आदेश पत्रक

मामला क्रमांक W.P.No.2399/2003 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	Having heard the learned counsel for the parties and having regard to the facts and circumstances of the case, I do not find any illegality or infirmity in the order passed by the Revenue Board. Therefore, there is no reason for this Court to interfere with the concurrent findings recorded by the SDO, Janjgir and the Revenue Board. In the result, the petition is dismissed. Sd/- L.C.BHADOO Judge	

[पीछे देखिये